

BOARD OF PROFESSIONAL ENGINEERS  
AND PROFESSIONAL LAND SURVEYORS

Minutes of Meeting

The Board of Professional Engineers and Professional Land Surveyors held a regular meeting on February 26 & 27, 2018 at the Board Office, 1510 E. Watertower St., Ste. 110, Meridian, ID 83642 to conduct Board business. The meeting convened at 8:00 a.m. on Monday, February 26, 2018 with the following Board members present: Glenn Bennett, Raymond Watkins, Dusty Obermayer, John Tomkinson Mr. Wagner and Dr. Murgel. Also present was Jennifer Rowe, Administrative Assistant and Mike Kane, Board Attorney.

**VI. CONSIDERATION OF DISCIPLINARY MATTERS**

FY16.03 Wellington, Steven Charles, ROPR. A hearing was held October 23-25, 2017. The Board began deliberations on the matter.

Moved by Mr. Wagner, seconded by Mr. Watkins to enter into executive session to consider records that are exempt from disclosure as provided for by Idaho Code 74-206(1)(d). Roll call vote results; Mr. Bennett, yes; Mr. Watkins, yes; Mr. Wagner, yes; Dr. Murgel, yes; Mr. Tomkinson, yes, and Mr. Obermayer, yes. After meeting in executive session, the Chairman directed the Board to table the remaining agenda items until Tuesday, February 27 at 8:00 a.m.

Attorney Kane left the meeting.

The meeting reconvened at 8:00 a.m. Mr. Elle, Mr. Simila and Mr. Szatkowski joined the meeting.

i. **AGENDA REVIEW** - Are there any new agenda items? A new document was added to docket FY17.12 for the Board's review.

**I. READING OF MINUTES**

There are no minutes for this agenda.

**II. REVIEW AND APPROVAL OF CONSENT AGENDA**

1. We have received NCEES Western Zone nominations for Vice President from Brian Robertson, Colorado and Karen Purcell, Nevada.
2. NCEES presented bylaw changes.
3. NCEES is searching for a new CEO.

4. A voluntary license retirement surrender in lieu of discipline was received from Glenn A. Elwell.

Moved by Dr. Murgel, seconded by Mr. Elle to approve the items on the consent agenda with no further action. Motion passed unanimously.

### **III. UNFINISHED BUSINESS**

1. Review the Strategic Plan Objectives. The Board noted that there were no changes needed to the Strategic Plan at the time.
2. Subcommittee Updates
  - a. Surveying FAQ (Frequently Asked Questions) Page Subcommittee (Mr. Obermayer, Mr. Bennett and Mr. Elle): The subcommittee reviews changes to the surveying laws and assists staff with updating the Surveying FAQ web page. Mr. Bennett and Mr. Elle are working with Mr. Szatkowski to keep the FAQ current. The Board noted the information.
  - b. QBS Subcommittee (Mr. Wagner, Mr. Bennett and Mr. Elle): The subcommittee will study whether sub consultant services should be procured using QBS and whether a change in the law for the definition of “agent” will accomplish this.

Moved by Dr. Murgel, seconded by Mr. Elle to dissolve this subcommittee. Motion passed unanimously.

- c. Surveyor Apprenticeship Subcommittee: (Mr. Bennett, Mr. Elle and Mr. Obermayer) Subcommittee is working with the Department of Labor on survey education and an apprenticeship program. The Board noted the information.
4. Mr. Elle and Mr. Bennett provided an update on the ISU surveying program. The Board noted the information.
5. Staff recently obtained written affirmation from some of the Canadian and the UK Engineering organizations that they will license Idaho engineers under substantially the same conditions are required in 54-1219, Idaho code. Mr. Szatkowski has been in touch with the UK and a representative will be attending a future meeting. The Board noted the information.
6. Mr. Simila prepared the new template for Executive Order 2017-06 for the Board's review. The Board noted the information.

Attorney Kane joined the meeting.

3. Mr. Simila and Attorney Kane provided the Board with a legislation and budget update. The Board noted the information.
7. Mike Kane discussed the APA legislation proposal. The Board noted the information.
9. House Bill 418 which prohibits lobbying was introduced. The Board noted the information.
11. A bill was introduced in the legislature regarding access to lands by a PLS. The Board noted the information.
10. Mr. Simila drafted 2019 changes to the survey laws.

Moved by Dr. Murgel, seconded by Mr. Elle to approve the law and rule changes and letter to ISPLS as modified. Motion passed unanimously.

#### **VI. CONSIDERATION OF DISCIPLINARY MATTERS**

- FY11.11 Erickson, Chad. A resentencing hearing was scheduled for September 6, 2017, but cancelled by an Idaho Supreme Court ruling. Attorney Kane provided an update on this matter.

#### **IV. NEW BUSINESS**

13. Please plan on providing your unavailable dates from March through November at the meeting. Also, there may be a need to extend the June Board meeting to review a disciplinary case. Please leave June 6th open in case the date is needed. The Board will send their unavailable dates to Jennifer.

#### **VI. CONSIDERATION OF DISCIPLINARY MATTERS**

- FY16.04 Ketcham, C.H. Pete, ROPR (related to the Walker/Erickson matter). Time extended at January 2017 meeting. The Board noted the information.
- FY16.08 Erickson, Chad - Ketcham, Pete, ROPR. Time extended at March 2017 meeting. This matter is now under investigation. The Board noted the information.
- FY17.02 Mayberry, Matthew Brian, ROPR (same SW corner; related to the Walker/Erickson matter). Time has been extended indefinitely at the January 2017 meeting. The Board noted the information.
- FY 17.09 Idaho County, ROPR. Time extended at March 2017 meeting. The Board noted the information.

- FY17.11 Survey, St. Maries, ROPR. Time extended at September 2017 meeting. Mr. Obermayer provided an update on this matter. The Board noted the information.
- FY17.12 Surveyor from Bingham County, ROPR. This docket was dismissed and closed at the January 2018 meeting. Mr. Bennett would like to discuss additional allegations.
- FY17.12A Surveyor from Bingham County, ROPR. The prosecutor negotiated a Retirement in lieu of Disciplinary action, which was accepted by the Executive Director. Staff recommends closing this matter.
- FY17.12B Surveyor from Bingham County, ROPR.
- FY17.12C Surveyor from Bingham County, ROPR.
- FY17.12D Surveyor from Bingham County, ROPR.
- FY17.12E Surveyor from Bingham County, ROPR.

Moved by Mr. Elle, seconded by Dr. Murgel to dismiss all complaints as unfounded and have Kane write a letter indicating the case is closed. Motion passed unanimously.

- FY18.02 Surveyor from Power County, ROPR. A preliminary investigation was authorized. The Board noted the information.
- FY18.04 A Request for Inquiry was received for a surveyor from Canyon County. A preliminary investigation has been authorized. The Board noted the information.
- FY18.05 Surveyor from Canyon County #2, ROPR. Does the Board want to issue a letter of warning?

Moved by Mr. Obermayer, seconded by Mr. Elle to send a letter of concern to the surveyor involved identifying minor deficiencies in his record of survey. Motion passed unanimously.

Moved by Mr. Elle, seconded by Mr. Watkins to dismiss this docket as unfounded and lacking jurisdiction. Motion passed unanimously.

- FY18.08 Barnett, Greg, Unlicensed Practice

Moved by Mr. Watkins, seconded by Mr. Elle to authorize Attorney Kane to respond regarding the expert witness issues. Motion passed unanimously.

Moved by Dr. Murgel, seconded by Mr. Elle to close this docket. Motion passed unanimously.

### **III. UNFINISHED BUSINESS**

8. A Board opinion was drafted on the Rehabilitation of GLO Monuments (55-1608).

Moved by Mr. Elle, seconded by Dr. Murgel to adopt the opinion as written and publish in the next news bulletin. Motion passed unanimously.

10. Mr. Simila drafted 2019 changes to the survey laws.

Moved by Dr. Murgel, seconded by Mr. Elle to approve the law and rule changes and send letter to ISPLS as modified. Motion passed unanimously.

### **V. CONSIDERATION OF APPLICATIONS**

Moved by Mr. Obermayer, seconded by Mr. Watkins to enter into executive session to consider records that are exempt from disclosure as provided for by Idaho Code 74-206(1)(d). Roll call vote results; Mr. Bennett, yes; Mr. Watkins, yes, Mr. Elle, yes; Mr. Wagner, yes; Dr. Murgel, yes, Mr. Tomkinson, yes, and Mr. Obermayer, yes. After meeting in executive session, the Chairman directed the Board to return to regular session.

#### **Non-Standard - Comity**

Moved by Dr. Murgel, seconded by Mr. Watkins to continue the application of Javier Andrade for licensure as a professional engineer especially qualified in civil engineering on the basis of comity with his license in the California pending additional documentation. Motion passed unanimously.

Moved by Mr. Elle, seconded by Dr. Murgel to approve the application of Bradley Jason Bowers for licensure as a professional land surveyor on the basis of comity with his license in the Washington. Motion passed unanimously.

Moved by Mr. Obermayer, seconded by Mr. Elle to continue the application of Gerry Lee Hammond for licensure as a professional land surveyor on the basis of comity with his license in the California pending additional documentation. Motion passed unanimously.

Moved by Dr. Murgel, seconded by Mr. Elle to continue the application of Sergio Perry for licensure as a professional engineer especially qualified in electrical engineering on the basis of comity with his license in the Washington pending additional documentation. Motion passed unanimously.

### **NON-STANDARD - Exams**

Moved by Dr. Murgel, seconded by Mr. Watkins to assign Daniel Gunn Ward to the Principles and Practice of Engineering examination in the civil engineering discipline. Motion passed unanimously.

### **NON-STANDARD - Faculty**

Moved by Mr. Watkins, seconded by Mr. Elle to approve Matthew T. Bernards for licensure as a faculty restricted professional engineer. Motion passed unanimously.

Moved by Mr. Elle, seconded by Dr. Murgel to approve Emad Kassem for licensure as a faculty restricted professional engineer. Motion passed unanimously.

### **NON-STANDARD - Certificates**

Moved by Dr. Murgel, seconded by Mr. Elle to approve the applications of Mubarak Adesina and Supreme Maskey for certification as Engineer Interns. Motion passed unanimously.

### **TERMINATIONS**

The following applications have been in a “pending” status for over a year. All have not responded to multiple attempts to gather additional information to complete their application file. All applicants have also been informed that if they did not contact the Board office regarding their application by January 1, 2018 that application may be terminated by the Board.

- Brown, James (PLS)
- Byce & Associates (COA)
- CRC Engineering PC (COA)
- Enerpart, LLC (COA)
- Gauss Management Research & Engineering Inc. (COA)
- Haggarty, Duffy (PLS)
- J Foster & Associates, LLC
- McClean, Christopher Anthony (PE-Mechanical)
- Nyseth, D. Scott (PE-Civil, Structural)
- Tang, Chau H. (PE-Electrical)

Moved by Dr. Murgel, seconded by Mr. Elle to terminate the applications referenced above. Motion passed unanimously.

## **IV. NEW BUSINESS**

7. Mr. Simila drafted a rule change for reexaminations & discontinued COA's.

Moved by Mr. Elle, seconded by Dr. Murgel to approve the rule change as presented. Motion passed unanimously.

9. Mr. Simila discussed the budget forecast and a fee increase.

Moved by Mr. Elle, seconded by Mr. Wagner to approve the fee increase as proposed by the staff. Motion passed unanimously.

### **III. UNFINISHED BUSINESS**

11. Mr. Bennett provided a News Bulletin article.

Moved by Mr. Obermayer, seconded by Dr. Murgel to approve article contingent on input from other Board surveyors. Motion passed unanimously.

12. Mr. Szatkowski provided an update on the Thomas Kitchen matter. The Board noted the information.
13. Mr. Szatkowski provided an update on the complaint against a Lewiston surveyor for unlicensed practice. This matter has been referred to the Attorney General's office. The Board noted the information.

### **IV. NEW BUSINESS**

1. Reports by Board Members and Staff of activities since the January meeting.

Mr. Elle reviewed previous disciplinary cases for compliance with Consent Orders; prepared for the ISPLS conference and contacted ISU on sector grant issue. Mr. Obermayer answered surveyor questions. Mr. Wagner had nothing to report. Mr. Watkins answered engineering questions. Mr. Bennett answered surveyor questions; prepared for the ISPLS conference and continued to teach surveying in the Basin School District. Dr. Murgel made a presentation at the ISPE luncheon and participated in an NCEES FE PAKS study. Mr. Szatkowski attended the ISPE luncheon and participated in a meeting of the NSPE Awards Committee & Council. Mr. Simila attended the ISPE luncheon; attended an ISPLS chapter meeting and attended legislative hearings.

2. Staff provided an update on the Board's financial status as of January 31, 2018. The Board noted the information.
3. Staff prepared an Expense Reimbursement Summary for the Executive Director for January 11, 2018 through February 15, 2018 for the Board's review.

Moved by Dr. Murgel, seconded by Mr. Elle to approve the expense summary as presented. Motion passed unanimously.

5. The Board held an election of officers. The change will become effective June 1st.

Moved by Mr. Elle, seconded by Mr. Tomkinson to elect Mr. Watkins as Chairman, Mr. Obermayer as Vice Chairman, and Mr. Wagner as Secretary. Motion passed unanimously.

4. The next PNWER Meeting in July 22-26, 2018 in Spokane. Does the Board want to send a representative?

Moved by Mr. Obermayer, seconded by Mr. Elle to send the Executive Director and the Board Chairman to the PNWER meeting. Motion passed unanimously.

6. The Board discussed the prosecuting attorney transition. The Board noted the information.

8. Montana State University now has a land surveying minor. Does the Board want to approve this program?

Moved by Mr. Obermayer, seconded by Mr. Elle to assign Mr. Bennett to evaluate the program. Motion passed unanimously.

12. Bob Arnold requested that the Board review testimony that was provided by an individual that is not licensed as a PE in Idaho. The Board noted the information with no action taken.

14. Mark Duffner submitted a question about the requirements for setting monuments.

Moved by Mr. Obermayer, seconded by Dr. Murgel to publish this item in the next News Bulletin. Motion passed unanimously.

15. Esterline has reworked their website to clarify that they do not offer engineering services. The Board noted the information.

16. A Board member will need to stand up at the WZ meeting and invite the zone to Boise in 2019. Who would like to do this? Mr. Bennett will provide the invitation. The Board noted the information.

The Board noted the issuance of professional engineer licenses to the following individuals since the last meeting of the Board. They are listed by name, discipline and the comity state as indicated:

Matthew Lynn Albright (Mechanical)  
Precision Environments Inc  
2033 Wilmington Rd  
Lebanon, OH 45036-8870

Ohio



Bryan Bostenero (Civil) Murraysmith 345 Bobwhite Ct #230 Boise, ID 83706	California
William Charles Bracken (Civil) Bracken Engineering, Inc. 906 Lorena Road Tampa, FL 33548-4590	Florida
Gabriel Joe Cantu (Mechanical) IMES Group LLC 6601 Vaught Ranch Rd Ste 202 Austin, TX 78730	Texas
Peter James Christesen (Civil) Dome Corporation of North America 5450 East Rd Saginaw, MI 48601-9748	Michigan
Matthew Krist Christian (Civil) 3107 Speedway #208 Austin, TX 78705	Texas
Christopher C Clark (Civil) Keller Associates Inc 131 SW 5th St Ste A Meridian, ID 83642-8608	Montana
William Milton Derosset (Civil) Ayres Associates 3665 John F. Kennedy Pkwy, Building 2 Suite 100 Fort Collins, CO 80525-5942	Colorado
Tyler R. Doil (Mechanical) Coffman Engineers Inc 2304 N 7th Ave Ste P Bozeman, MT 59715	Alaska
Dean B Durkee (Civil) Gannett Fleming Inc 3838 N Central Ave Ste 1900 Phoenix, AZ 85012	Colorado

Jared K Ford (Civil) Ensign Engineering and Land Surveying 45 W 10000 S #500 Sandy, UT 84070	California
Mark C Frymoyer (Civil, Structural) 2519 B 30th Ave S Seattle, WA 98144	California
Adam Jay Ginsburg (Civil) GEINC 6496 NW 31st Way Boca Raton, FL 33496-3397	Pennsylvania
Adam Jaret Hagelstein (Mechanical) Chicago Bridge & Iron 21410 Park Royale Dr Katy, TX 77450-4723	Texas
Joseph Daniel Hales (Civil) HCF 8029 Deer Creek Road Cottonwood Heights, UT 84121-5761	California
Scott Randall Locke (Mechanical) University Mechanical Contractors Inc 11611 49th Pl West Mukilteo, WA 98275	Texas
Michael Addison Lovejoy (Mechanical) Helix Energy Partners Llc 115 Main St. Box 418 Helix, OR 97835-0418	Oregon
Phillip Shay Miles (Civil) Keystone Experts and Engineers 7330 Matthews Rd Colorado Springs, CO 80908-4394	Illinois
Richard Martin Morrison Jr. (Electrical) Saber Engineering, P.A. 2923 South Tryon St., Ste 280 Charlotte, NC 28203-5945	North Carolina

<p>Tyson Matheson Munford (Civil)  360 E 2110 S  Heber City, UT 84032</p>	Utah
<p>Aaron Glenn Murray (Civil)  1300 E Garfield St  Laramie, WY 82070</p>	Colorado
<p>Matt Murrell (Mechanical)  Hoss &amp; Brown Engineers Inc  4910 Corporate Ctr Dr Ste 177  Lawrence, KS 66047</p>	Kansas
<p>Aaron Winston Olson (Civil)  KPFF Consulting Engineers  1601 Fifth Ave Ste 1600  Seattle, WA 98101</p>	California
<p>Andrew J Paskett (Mechanical)  Heath Engineering Company  377 W 800 N  Salt Lake City, UT 84103</p>	Utah
<p>Stanley Angeloff Petroff (Civil)  3348 Talon St  Eugene, OR 97408</p>	Oregon
<p>Boyd Archie Preece (Civil)  Finish Grade Engineering  15122 South Skyfall Drive  Bluffdale, UT 84065-5663</p>	Utah
<p>Kevin Eric Rice (Mechanical)  Action Target  857 W. Tortoise Cir.  Saratoga Springs, UT 84045-4866</p>	Arizona
<p>Cory Schrack (Civil)  Nasland Engineering  6835 Maury Drive  San Diego, CA 92119-2028</p>	California
<p>Anthony Joseph Schulte (Mechanical)  AEPC Group  161 N Civic Drive #463  Walnut Creek, CA 94596-3921</p>	California

Kyle Robert Shatzer (Civil) Iowa  
Menard USA  
60 S 6th St Ste 2800  
Minneapolis, MN 55402

Peter Glen Slocum (Civil, Structural) California  
OBEC Consulting Engineers  
920 Country Club Rd Ste 100B  
Eugene, OR 97401

Derek George Stefureac (Electrical) Nevada  
DGS Consulting Engineering Services LLC  
10667 Adamsong Ave  
Las Vegas, NV 89135-2025

Eufemio R Torres Jr (Civil) Washington  
12246 59th Ave S  
Seattle, WA 98178

Jason P Wollum (Electrical) Kansas  
Henderson Engineers Inc  
8345 Lenexa Dr Ste 300  
Lenexa, KS 66214

Based on passage of the Principles & Practice of Engineering examination in another jurisdiction, a licensee was issued to the following:

Matthew Francis Johnson: (Electrical) 10301 N. Strahorn Rd., Hayden, ID 83835

Based on passage of the Fundamentals of Engineering examination, a certificate was issued to the following:

Devin Masaru Burgess: 1630 S Pomona Ave Unit C28, Fullerton, CA 92832-3435  
Patrick Dean Mahoney: 301 Long Rd, Bainbridge, GA 39817-8065  
Alexander Michael Leppek: 8076 S Katerina Way, Boise, ID 83709  
Kyle Leonard Syndergaard: 2247 Stone Rd, Ann Arbor, MI 48105-2536

The following business entities were issued a Certificate of Authorization for Professional Engineering Services and/or Professional Land Surveying Services.

California Expanded Metal Products Company  
dba: Cemco Engineering  
1001-A Pittsburg Antioch Hwy  
Pittsburg, CA 94565

CED Technologies International Incorporated  
88 Trap Falls Rd  
Shelton, CT 06484

DGI-Menard Inc  
dba: Menard USA  
150 E Main St Ste 500  
Carnegie, PA 15106

Envista Forensics LLC  
5565 Glenridge Connector Ste 900  
Atlanta, GA 30342

GTP Consulting Engineers Inc  
4197 Pleasant Hill Rd Ste 200  
Duluth, GA 30096

Katerra Engineering LLC  
2494 Sand Hill Rd Ste 100  
Menlo Park, CA 94025

NB&C Engineering Services, LLC  
6095 Marshalee Dr Ste 300  
Elkridge, MD 21075-6084

P. Marshall & Associates, LLC  
1000 Holcomb Woods Pkwy Ste 210  
Roswell, GA 30076-2587

T.E. Ibberson Company  
9780 Mt. Pyramid Ct Ste 100  
Englewood, CO 80112-0000

Texas Design Interests, LLC  
5906 Old Fredericksburg Road Suite 300  
Austin, TX 78749-0000

Value Engineering  
1596 E Sicily St  
Meridian, ID 83642

Wapiti Consulting LLC  
10301 N Strahorn Rd  
Hayden, ID 83835

Wave Design Group LLC  
418 N Kellogg St Ste B  
Kennewick, WA 99336

Moved by Mr. Elle, seconded by Mr. Obermayer to adjourn the meeting at 4:30 p.m. on February 27, 2018. Motion passed unanimously.

  
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Chair

  
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Secretary